

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 13, 1999

DIVISION TWO

B123389 People (Not for Publication)
v.
Manuel J. Chavez

The Court:

The judgment is affirmed.

Nott, Acting P.J., Zebrowski, J., Mallano, J. (Assigned)

DIVISION THREE

B120589 People (Not for Publication)
v.
Fairfield

The judgment is modified to impose a \$200 fine pursuant to Penal Code section 1202.45. The clerk of the superior court is ordered to modify the abstract of judgment accordingly. Further, the clerk of the superior court is ordered to correct the abstract of judgment to reflect the imposition of a \$200 fine pursuant to Penal Code 1202.4. In all other respects the judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION THREE (Continued)

B118672 People (Not for Publication)
v.
Badwi

The clerk of the superior court is ordered to correct the abstract of judgment to reflect the imposition of a \$5,000 restitution fine pursuant to Penal Code section 1202.4, subdivision (b). As modified, the judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., and V. Guzman, Deputy Clerk.

B124280 In Re Rodney on Habeas Corpus

Merits:
Argued by A. William Bartz, Jr. for petitioner and by Erika D. Jackson, deputy attorney general, for respondent. Cause submitted.

B118546 People
v.
Lewis

Merits:
Argued by Marylou Hillberg for appellant and by William V. Ballough, deputy attorney general, for respondent. Cause submitted.

DIVISION FOUR (Continued)

B118052 Michelson et al.
 v.
 Camp et al.

Merits:
Argued by Evan D. Marshall for appellants and by Neil Gunny for respondents. Cause submitted.

B121589 Michelson
 v.
 Hamada

Merits:
Argued by Richard Amerian for appellants and by Ian Herzog for respondents. Cause submitted.

B129925 C.A. Rasmussen Company et al.
 v.
 Superior Court
 (Morton, et al., r.p.i.)

Merits:
Argued by G. Robert Hale for petitioners and by Larry R. Feldman for real party in interest. Cause submitted.

B118946 Wright
 v.
 Vons Companies, Inc.

Merits:
Argued by Nikki Fong for appellant and by for respondent. Cause submitted.

DIVISION FOUR (Continued)

B130907 Weston et al.
 v.
 Superior Court
 (Graham, r.p.i.)

Merits:

Argued by Jon Kardassakis for petitioners and by Steven W. Murray for real party in interest. Cause submitted.

Court in recess.

The Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., and V. Guzman, Deputy Clerk.

B117689 Fern Lane Area Homeowners Assoc., et al.
 v.
 City of Glendale

Merits:

Argued by Mark E. Elliot for appellants and by Terry P. Kaufmann Macias for respondent. Cause submitted.

B122335 Prochazka et al.
 v.
 Koshkaryan

Merits:

Argued by Tigran Koshkaryan in propria persona and by Holly R. Paul for respondent. Cause submitted.

B117818 Cromer
 v.
 Cromer

Merits:

Argued by Steven A. Becker for appellant and by Sandra Baldonado for respondent. Cause submitted.

DIVISION FOUR (Continued)

B116898 Fite et al.
 v.
 UCLA Medical Center et al.

Merits:
Appellant waived oral argument. Argued by Barbara S. Perry for respondent and by Christine T. Hoeffner for respondent. Cause submitted.

B123211 Ricard et al.
 v.
 Labow

Merits:
Argued by Thomas M. Banks for appellants, by Paul F. Cohen for respondent Labow and by Marc B. Hankin for respondent Russell. Appellant is granted five days to file a supplemental letter brief. Respondent shall have five days to respond. Matter to be submitted upon the filing of respondent's letter brief.

B116307 Verbiesen
 v.
 Kipp

Merits:
Argued by Jeffrey A. Holcomb for appellant. Respondent waived oral argument. Cause submitted.

B122789 South Bay Building Enterprises, Inc.
 v.
 Archer et al.

Merits:
Argued by Richard L. Knickerbocker for appellant and by Christopher Chun for respondents. Cause submitted.

DIVISION FOUR (Continued)

Each of the following:

B124321 People v. Duzy
B123009 People v. Jones
B122565 People v. Parker
B126229 In re Parker on Habeas Corpus
B123074 People v. Gonzales
B117281 People v. Valdez and Vizcarra
B120755 People v. O'Connell
B121438 People v. Epps
B129682 Christina N. v. S.C.L.A. (D.C.F.S.)
B126297 D.C.F.S. v. Tony S.
B129856 Tiffany M. v. S.C.L.A. (D.C.F.S.)
B126611 D.C.F.S. v. Gale G.
B130332 Cano v. S.C.L.A. (People)
B112788 Grillo et al. v. Glendale Humane Society, Inc.

Argument waived, cause submitted.

Court in recess.

B119360 Kirsch
 v.
 Angeles Mortgage Investment

Filed order denying petition for rehearing.

B114486 People
 v.
 Johnson

Filed order denying petition for rehearing.

DIVISION FIVE

B114950 Beverly Abbott-Stavely (Not for Publication)
v.
Disney Enterprises, Inc., et al.

The judgment is affirmed. Abbott-Stavely is to pay defendants' costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B119429 Gail Zube (Not for Publication)
v.
Susan Balistocky

The order of dismissal is affirmed. Defendant, Susan Balistocky, is to recover her costs on appeal from plaintiff Gail Zube.

Turner, P.J.

We concur: Grignon, J.
 Godoy Perez, J.

B130254 Ethel Rubin (Certified for Publication)
v.
Western Mutual Insurance Co., et al

The appeal is dismissed. Plaintiff Ethel Rubin shall recover her costs incurred on appeal from defendant Western Mutual Insurance Co.

Turner, P.J.

We concur: Godoy Perez, J.
 Kriegler, J. (Assigned)

DIVISION FIVE (Continued)

B122802 People (Not for Publication)
v.
Weston Hernandez

The judgment is affirmed.

Armstrong, Acting P.J.

I concur: Godoy Perez, J.
I dissent: Turner, P.J., (Opinion)

B123538 People (Not for Publication)
v.
Guy Finley

The judgment is modified to impose a \$600 restitution fine pursuant to section 1202.45, to remain suspended unless and until defendant violates his parole. In all other respects, the judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.
Godoy Perez, J.

B116134 People (Not for Publication)
v.
David Alan Huffman

The judgment is modified to impose a \$200 restitution fine pursuant to Penal Code section 1202.45, to remain suspended unless and until defendant violates a parole condition. The judgment is further modified to reflect 96 days of actual presentence custody credit, and 48 days of conduct credit, for a total of 144 days of presentence custody credit. In all other respects, the judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

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DIVISION FIVE (Continued)

B122117 People
 v.
 Gerald Mitchell

Filed order denying petition for rehearing.